

BEST AVAILABLE COPY**Remarks**

Applicants thank the Examiner for carefully considering the subject application.

The Office action applies Boyer et al. US 6,382,193 to claims 1-22 under 35 U.S.C. §102.

Boyer et al. relates to a method of using two intake valves and one exhaust valve, along with specialized manifold plumbing, to achieve boosting during variable displacement engine operation. In some cylinders, the second intake valve is referred to as an "intake/compressed air valve." Three different modes of valve operation are described, as summarized by the citations provided below from Col. 2:16-44:

A further aspect of the invention is that it is a four-cycle engine (as described above) that may be operated in a variable displacement mode. In the variable displacement mode, the intake valves open during the intake stroke and the combustion stroke, the intake/compressed air valves open during the compression stroke, and the exhaust valve opens during the exhaust stroke.

According to yet another aspect of the invention, the four-cycle engine (as described above) may be operated in a boosted variable displacement mode wherein the intake valves and intake/compressed air valves open during the intake stroke, the intake valves close during the compression stroke, while the intake/compressed air valves of non-firing cylinders open during the compression stroke and the exhaust valve opens during the exhaust stroke.

According to another aspect of the invention, exhaust gas from the firing cylinders may be introduced into the non-firing boosting cylinders by opening of the normally deactivated exhaust valves during a portion of the downward stroke. This recirculated exhaust gas is then delivered to the boosted manifold in order to reduce emissions.

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Thus, in Boyer et al., any time when the intake/compressed air valve operates without the other intake valve, the intake/compressed air valve is being operated during a compression stroke. This is because the valve is being used to create manifold pressure that is ducted to other cylinders.

Unlike Boyer et al., Claim 1 specifies operation at least during an intake stroke. For example, as shown in Figures 44-45 (and the corresponding description in the specification), during one cycle, intake valve A operates (without intake valve B), at least during an intake stroke. Then, in a subsequent cycle, intake valve B operates (without intake valve A), at least during an intake stroke.

Thus, Applicants respectfully submit that Claim 1 distinguishes the applied reference. For similar reasons, claims 14 and 22 also distinguish the applied reference.

Regarding claims 6, 11, and 15, these specify at least two exhaust valves, whereas Boyer et al. shows only a single exhaust valve. As such, Boyer et al. cannot anticipate these claims.

Based on the foregoing comments, the above-identified application is believed to be in condition for allowance, and such allowance is courteously solicited. If any further amendment is necessary to advance prosecution and place this case in allowable condition, the Examiner is courteously requested to contact the undersigned by fax or telephone at the number listed below.

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CERTIFICATE OF FACSIMILE

I hereby certify that This correspondence is being sent to the U.S. Patent and Trademark Office via facsimile at (703) 872-9306 on February 11, 2005.



Lauren Barberena

Respectfully submitted,

ALLEMAN HALL MCCOY RUSSELL &
TUTTLE LLP

Christopher S. Tuttle
Registration No. 41,357
Customer No. 36865
806 SW Broadway, Suite 600
Portland, Oregon 97205
Phone: (503) 459-4141
Fax: (503) 459-4142